

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

BRETT KIMBERLIN

*

Plaintiff

*

v

*

Civil Action No. RWT-13-2580

ANONYMOUS BLOGGER UNMASKED

*

Defendant

*

ORDER

Plaintiff has filed the instant Complaint, accompanied by the filing fee, and therefore bears the responsibility for effecting service of process on Defendant. Plaintiff may effectuate service by presenting summons to the Clerk for signature and seal and then serving a copy of the summons and Complaint on Defendant. Pursuant to Fed. R. Civ. P. 4(c)(2), service of a summons and Complaint may be effected by any person who is not a party and who is at least 18 years of age.

Plaintiff is reminded that under Fed. R. Civ. P. 4(l), the person effecting service of the summons and Complaint must promptly notify the Court,¹ through an affidavit, that he or she has served Defendant. If there is no record that service was effectuated on Defendant, Plaintiff risks dismissal of the case. Pursuant to Fed. R. Civ. P. 4(m) and Local Rule 103.8.a., if a party demanding affirmative relief has not effected service of process within 120 days of filing the Complaint, the Court may enter an Order asking the party to show cause why the claims should not be dismissed. If the party fails to show cause within fourteen (14) days of the entry of the Order or such other time as may be set by the Court, the Complaint shall be dismissed without

¹ If Plaintiff does not use a private process server, and instead uses certified mail, return receipt requested, to make service, Plaintiff must file with the Clerk the United States Post Office acknowledgment as proof of service.

prejudice.²

Accordingly, it is this 1st day of October, 2013, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. The Clerk TAKE ALL NECESSARY STEPS to prepare and issue summons and to return summons to Plaintiff. If service copies of the Complaint were provided, the Clerk SHALL RETURN them to the Plaintiff; and
2. The Clerk SHALL SEND a copy of this Order to Plaintiff.

/s/
ROGER W. TITUS
UNITED STATES DISTRICT JUDGE

² Service of process on corporations and associations may be made pursuant to Fed. R. Civ. P. 4(h). Plaintiff may contact the office of the State Department of Assessments and Taxation at <http://www.dat.state.md.us/sdatweb/charter.html#other> or (410) 767-1330 to obtain the name and service address for the resident agent of Defendant.